



# Capell Vishnick LLP

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September 21, 2007

**VIA FACSIMILE: (212) 805-7948**

Hon. Richard J. Holwell  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 1950  
New York, NY 10007

USDC SDNY  
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**Re: Ho Myung Moolsan Co., Ltd., and Hyun-Song Kang v. Manitou Mineral Water, Inc., et. al.**  
**SDNY Case No.: 07 CIV 7483**

Dear Judge Holwell:

My firm represents the defendants in the above-captioned case which essentially involves a commercial dispute pertaining to the distribution of bottled mineral water.

Given the fact that my firm was recently retained in this litigation and view of the constraints of the parties' schedules, the plaintiff's counsel has graciously consented to the adjournment of the plaintiffs' Order to Show Cause which was filed on August 24, 2007 and which had previously been adjourned to October 4, 2007, to October 11, 2007.

Please note that when I initially contacted the plaintiffs' counsel regarding this case and a briefing schedule, plaintiffs' counsel apparently believed that I was seeking a one week extension. Thus, the matter had been put over to October 4, 2007. Based upon our recent communications, counsel for the plaintiff and I have been able to reach an understanding regarding the service of the defendants' responsive papers. We also respectfully request that the return date of plaintiffs' motion be October 11, 2007 or such other date as the Court determines. A copy of my letter to plaintiffs' counsel, Michael S. Kimm, Esq., indicating Mr. Kimm's approval to same, is being faxed herewith.

Thank you for your consideration.

*Hearing adjourned to  
10/11/07 at 1:00 p.m.*

Respectfully submitted,

*Andrew A. Kimler*  
Andrew A. Kimler

AAK/am  
encl.

cc: **VIA FACSIMILE: (201) 342-0555**  
Michael S. Kimm, Esq. (with enclosure)